UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WISCONSIN

STEPHANIE HAMMAR, et al.	, Plaintiff(s),	RULE 16 TEL	EPHONE
V.	\ //	SCHEDULING CO	ONFERENCE
MERCK & CO., INC. Defendant(s).		Case No. 20-C-1402	
HONORABLE WILLIAM C. GRIESBACH presiding Proceeding Held: January 4, 2021 Deputy Clerk: Lori		Time C Time Concl	
Appearances:			
Plaintiff(s): Kimberly Beck			
Defendant(s): Allen Schlinsog	and Steven Marshall		
Scheduling:			
Initial Disclosures:	1/15/2021	Dispositive Motions:	See phase schedule below
Amended Pleadings:	Rule 15 will apply	Final Pretrial Conference:	
Expert Disclosures (Plaintiff):		☐ Jury Trial or ☐ Court Trial:	
Expert Disclosures (Defendant):		Trial Estimate:	
Rebuttal Disclosures:		\square TC; \square SC; \square HRG set for:	
Discovery:	See phase schedule below		
☐ Hearing dates entered on ca	lendar		
	ll does not object to th	for partial dismissal and [25] Motion of the 2 nd Amended Compas to Count 1.	

The Court grants [25] Motion for leave to file 2^{nd} amended complaint.

The [13] motion to dismiss will be termed as moot.

The Court and parties discuss R.S.B. injuries and status.

Ms. Beck responds and requests to schedule.

The parties have agreed to 2-part phased approach to discovery and summary judgment.

Phase One- Innovator Liability

Plaintiffs to produce medical records related to this issue by April 1, 2021.

Fast Track Summary Judgment Submissions: Merck's motion and supporting documents filed by April 23, 2021; Plaintiffs' response due May 14, 2021; and Merck's reply due June 4, 2021.

Case 1:20-cv-01402-WCG Filed 01/04/21 Page 1 of 2 Document 27

Phase Two - Preemption Fact Discovery related to preemption, including the production of pertinent portions of Merck's regulatory file, and any reasonably necessary depositions to be completed by November 4, 2021; Merck's motion for summary judgment and supporting documents would be December 6, 2021; Plaintiffs' response would be due on January 17, 2022; and Merck's Reply would be due on February 7, 2022.			
The Court inquires as to issue of causality. Mr. Marshall believes that would be addressed in a 3 rd phase (medical and proximate causation issue). Trial dates will be set at a later date.			
Case 1:20-cv-01402-WCG Filed 01/04/21 Page 2 of 2 Document 27			